

Senate Amendment 3452

PAG LIN

1 1 Amend House File 911, as amended, passed, and
1 2 reprinted by the House, as follows:
1 3 #1. Page 7, by inserting after line 2 the
1 4 following:
1 5 <____. For the promotion of retail motor fuel sites
1 6 offering E=85 or biodiesel fuels for sale to the
1 7 public:
1 8 \$ 25,000
1 9 It is the intent of the general assembly that
1 10 moneys appropriated in this lettered paragraph shall
1 11 be used by the clean air choice program administered
1 12 by the American lung association for promotional use
1 13 for retail sites that sell E=85 or biodiesel fuels to
1 14 the public.>
1 15 #2. Page 34, by inserting after line 23 the
1 16 following:
1 17 <Sec. _____. Section 455G.31, Code 2007, is amended
1 18 to read as follows:
1 19 455G.31 E=85 GASOLINE STORAGE AND DISPENSING
1 20 INFRASTRUCTURE.
1 21 1. As used in this section, unless the context
1 22 otherwise requires:
1 23 a. "E=85 gasoline", "ethanol blended gasoline",
1 24 and "retail dealer" mean the same as defined in
1 25 section 214A.1.
1 26 b. "Gasoline storage and dispensing
1 27 infrastructure" means any storage tank located below
1 28 ground or above ground and any associated equipment
1 29 including but not limited to a pipe, hose, connection,
1 30 fitting seal, or pump, which is used to store,
1 31 measure, and dispense gasoline by a retail dealer.
1 32 2. A retail dealer may use gasoline storage and
1 33 dispensing infrastructure to store and dispense E=85
1 34 gasoline if all of the following apply:
1 35 a. For gasoline storage and dispensing
1 36 infrastructure other than the dispenser, the
1 37 department of natural resources under this chapter or
1 38 the state fire marshal under chapter 101 must
1 39 determine that it is compatible with E=85 gasoline.
1 40 If the compatibility of the thread sealant or adhesive
1 41 is undetermined, the thread sealant or adhesive may
1 42 continue to be used if precision line testing is
1 43 conducted annually and if an analysis to determine
1 44 compatibility of the thread sealant or adhesive is
1 45 completed by July 1, 2011.
1 46 b. For a dispenser, ~~the manufacturer must state~~
1 47 ~~all of the following shall apply:~~
1 48 (1) ~~That the dispenser is, in the opinion of the~~
1 49 ~~manufacturer, not incompatible with E=85 gasoline.~~
1 50 The manufacturer must state that the dispenser is
2 1 listed by an independent testing laboratory as
2 2 compatible with ethanol blended gasoline.
2 3 (2) ~~The manufacturer has initiated the process of~~
2 4 ~~applying to an independent testing laboratory for~~
2 5 ~~listing of the equipment for use in dispensing E=85~~
2 6 ~~gasoline.~~
2 7 ~~A manufacturer's statement must include a written~~
2 8 ~~statement, with reference to a particular type and~~
2 9 ~~model of equipment for use in dispensing E=85~~
2 10 ~~gasoline, signed by a responsible official on behalf~~
2 11 ~~of the manufacturer, provided either to the retail~~
2 12 ~~dealer using the gasoline storage and dispensing~~
2 13 ~~infrastructure or to the department of natural~~
2 14 ~~resources or the state fire marshal. If the written~~
2 15 ~~statement is provided to a retail dealer, the~~
2 16 ~~statement shall be retained in the files on the~~
2 17 ~~premises of the retail dealer and shall be available~~
2 18 ~~to personnel of the department of natural resources or~~
2 19 ~~the state fire marshal upon request. The owner or~~
2 20 ~~operator or a person authorized by the owner or~~
2 21 ~~operator must visually inspect the dispenser and the~~
2 22 ~~dispenser sump daily for leaks and equipment failure~~
2 23 ~~and maintain a record of such inspection for at least~~
2 24 ~~one year after the inspection. If a leak is detected,~~

2 25 the department of natural resources shall be notified
2 26 pursuant to section 455B.386.

2 27 If a commercially available dispenser is listed as
2 28 compatible for use with E-85 gasoline by an
2 29 independent testing laboratory, this paragraph "b"
2 30 shall not apply to new dispensers installed after the
2 31 commercial availability of such a certified dispenser.

2 32 3. ~~This section is repealed July 1, 2009.->~~

2 33 [#3.](#) By renumbering as necessary.

2 34

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2 37 THOMAS RIELLY

2 38 BRIAN SCHOENJAHN

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2 40 HF 911.719 82

2 41 rh/gg/10198